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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/814,750	03/30/2004	Masayasu Fujio	ITECP011	7187
25920	7590	10/10/2007	EXAMINER	
MARTINE PENILLA & GENCARELLA, LLP			BAKER, CHARLOTTE M	
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SUITE 200			ART UNIT	PAPER NUMBER
SUNNYVALE, CA 94085			2625	
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			10/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/814,750	FUJIO ET AL.	
	Examiner	Art Unit	
	Charlotte M. Baker	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 March 2004 is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 - 1) Certified copies of the priority documents have been received.
 - 2) Certified copies of the priority documents have been received in Application No. _____.
 - 3) Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>02/27/2006</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claim 15 is objected to because of the following informalities: replace “generation device and information” with --generation device or information-- due to the word “either” in the language. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4, 7-8, 10, 12-13 and 15-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. (6,262,817) in view of Matsumoto (6,647,125).

Regarding claim 1: Sat et al. disclose an image input module (Fig. 1, external interface unit 4) that inputs an image (col. 7, ln. 32-35) as an object of generation of color correction information (Figs. 1-3) (col. 7, ln. 32-47); to the input image (col. 7, ln. 32-35)(Figs. 1-3); a color adjustment module (Fig. 1, color adjusting unit 2) that performs color adjustment of the input image (col. 7, ln. 32-47); a color correction information generation module (Fig. 1, image display unit 5) that compares an original image (Fig. 2, original image 51) prior to the color adjustment by said color adjustment module with a resulting color-adjusted image (Fig. 2, adjusted image 52) after the color adjustment and generates color correction information for converting the original image (Fig. 2, original image 51) into the resulting color-adjusted image (Fig. 2, adjusted image 52), based on a result of the comparison (col. 8, ln. 1-33); and a color correction information storage

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module (Fig. 1, storage 6) that stores the generated color correction information (color adjustment matrix); which is attached to the input image (col. 7, ln. 32-35) as the object of generation of color correction information (Figs. 1-3) (col. 7, ln. 32-47).

Sato et al. fail to specifically address where device identification information for identifying an image generation device is attached in advance; in mapping to the device identification information.

Matsumoto et al. disclose where device identification information for identifying an image generation device (col. 10, ln. 54 through col. 11, ln. 3) is attached in advance; in mapping to the device identification information (col. 10, ln. 54 through col. 11, ln. 3).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to include device identification information in order to trace the origin of an image from a reproduced image.

Regarding claim 2: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 1. Sato et al. further disclose wherein said color adjustment module (Fig. 1, color adjusting unit 2) varies at least one of hue, lightness, and saturation with regard to at least part of the input image (col. 7, ln. 36-47 and col. 8, ln. 1-33).

Regarding claim 3: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 1. Sato et al. further disclose wherein said color adjustment module (Fig. 1, color adjusting unit 2) performs the color adjustment while displaying an adjustment image under color adjustment (Fig. 2) (col. 7, ln. 36-47 and col. 8, ln. 1-33).

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Regarding claim 4: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 3.

Sato et al. further disclose wherein said color adjustment module (Fig. 1, color adjusting unit 2) performs the color adjustment while displaying the original image (Fig. 2) (col. 7, ln. 36-47 and col. 8, ln. 1-33) (col. 10, 11-37).

Regarding claim 7: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 1.

Sato et al. further disclose wherein said color adjustment module (Fig. 1, color adjusting unit 2) performs color adjustment of an input image (Figs. 1-3) (col. 7, ln. 32-47) with attachment of color space information (col. 10, ln. 11-37) for regulating a variation in color space of the image generation device (col. 10, ln. 11-53).

Regarding claim 8: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 7.

Sato et al. further disclose wherein said color adjustment module (Fig. 1, color adjusting unit 2) performs color adjustment of an image adapted by the color space information (col. 10, ln. 11-37), and said color correction information generation module (Fig. 1, image display unit 5) modifies the color space information to generate the color correction information (col. 10, ln. 11-37).

Regarding claim 10: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 1.

Sato et al. further disclose wherein said color correction information generation module (Fig. 1, image display unit 5) generates the color correction information (col. 10, ln. 11-37) as color space information for regulating a variation in color space of the image generation device (col. 10, ln. 11-53).

Regarding claim 12: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 1. Sato et al. further disclose a correction image input module (Fig. 1, external interface unit 4) that inputs an image as an object of color correction (Figs. 1-3) (col. 7, ln. 32-47); and a color correction information attachment module (Fig. 1, color adjusting unit 2) that, in response to input of an image by said correction image input module (Fig. 1, external interface unit 4), when color correction information (Figs. 1-3) (col. 7, ln. 32-47); is stored in said color correction information storage module (Fig. 1, storage 6), attaches the corresponding color correction information (Figs. 1-3) (col. 7, ln. 32-47) to the input image (col. 7, ln. 32-35).

Sato et al. fail to specifically address where device identification information is attached in advance to the input image; corresponding to the device identification information attached to the input image.

Matsumoto et al. disclose where device identification information is attached in advance to the input image (col. 10, ln. 54 through col. 11, ln. 3); corresponding to the device identification information attached to the input image (col. 10, ln. 54 through col. 11, ln. 3).

Regarding claim 13: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 12. Sato et al. further disclose wherein said color correction information attachment module (Fig. 1, color adjusting unit 2) attaches the color correction information to the input image as color space information for regulating a variation in color space of the image generation device (Figs. 1-3) (col. 7, ln. 32-47) (col. 10, ln. 11-53).

Regarding claim 15: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 12.

Sato et al. fail to specifically address wherein the device identification information is either of information for individual recognition of the image generation device and information for identifying a manufacturer of the image generation device.

Matsumoto et al. disclose wherein the device identification information is either of information for individual recognition of the image generation device and information for identifying a manufacturer of the image generation device (col. 10, ln. 54 through col. 11, ln. 3).

Regarding claim 16: The structural elements of apparatus claim 1 perform all of the steps of method claim 16. Thus, claim 16 is rejected for the same reasons discussed in the rejection of claim 1.

Regarding claim 17: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 16. The structural elements of apparatus claims 7 and 8 perform all of the steps of method claim 17. Thus, claim 17 is rejected for the same reasons discussed in the rejection of claims 7 and 8.

Regarding claim 18: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 16. The structural elements of apparatus claim 12 perform all of the steps of method claim 18. Thus, claim 18 is rejected for the same reasons discussed in the rejection of claim 12.

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. in view of Matsumoto et al. and further in view of Sato et al.

Regarding claim 5: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 1. Sato et al. further disclose wherein said color adjustment module (Fig. 1, color adjusting unit 2).

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Sato et al. do not specifically address gives a print instruction to a printing apparatus in the middle of color adjustment to print an adjustment image under color adjustment in the first embodiment.

Sato et al. disclose gives a print instruction to a printing apparatus in the middle of color adjustment to print an adjustment image under color adjustment in the fifth embodiment (col. 27, ln. 15-20).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to include printing an adjustment image in order to allow other options of comparison other than a display.

5. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. in view of Matsumoto et al. an further in view of Hayashi (US 2002/0141004 A1).

Regarding claim 6: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 1. Sato et al. further disclose wherein said image input module (Fig. 1, external interface unit 4); as the object of generation of color correction information (Figs. 1-3) (col. 7, ln. 32-47).

Sato et al. in view of Matsumoto et al. fail to specifically address inputs a predetermined image including multiple standard colors.

Hayashi discloses inputs a predetermined image including multiple standard colors (par. 5).

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It would have been obvious to a person of ordinary skill in the art at the time of the invention to include a predetermined image including multiple standard colors in order to provide more accurate color correction as taught by Hayashi (par. 5).

6. Claims 9, 11 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sato et al. in view of Matsumoto et al. and further in view of Adam et al. (US 2004/0130739 A1).

Regarding claim 9: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 7. Sato et al. further disclose wherein the color space information (col. 10, ln. 11-37).

Sato et al. in view of Matsumoto et al. fail to specifically address an ICC profile.

Adam et al. disclose is an ICC profile (scanner ICC profile 130, pars. 113-116).

It would have been obvious to a person of ordinary skill in the art at the time of the invention to include an ICC profile in order to provide an improved color correction system as taught by Adam et al. (see Abstract).

Regarding claim 11: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 10. Arguments analogous to those stated in the rejection of claim 10 are applicable.

Regarding claim 14: Sato et al. in view of Matsumoto et al. satisfy all the elements of claim 13. Arguments analogous to those stated in the rejection of claim 10 are applicable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charlotte M. Baker whose telephone number is 571-272-7459. The examiner can normally be reached on Monday-Friday 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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